United Nations S/PV.4742

Security Council

Fifty-eighth year

Provisional

4742nd meeting

Wednesday, 23 April 2003, 10.30 a.m.

New York

President:	Mr. Aguilar Zinser	(Mexico)
Members:	Angola	Mr. Gaspar Martins
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Ekorong à Dong
	Chile	Mr. Valdés
	China	Mr. Zhang Yishan
	France	Mr. Duclos
	Germany	Mr. Pleuger
	Guinea	Mr. Boubacar Diallo
	Pakistan	Mr. Akram
	Russian Federation	Mr. Lavrov
	Spain	Mr. Arias
	Syrian Arab Republic	Mr. Wehbe
	United Kingdom of Great Britain and Northern Ireland	Mr. Harrison
	United States of America	Mr. Williamson

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2003/421).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-33072 (E)

The meeting was called to order at 10.40 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2003/421)

The President (*spoke in Spanish*): I should like to inform the Council that I have received letters from the representatives of Albania, Greece, and Serbia and Montenegro in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Šahović (Serbia and Montenegro) took a seat at the Council table; Mr. Dilja (Albania) and Mr. Vassilakis (Greece) took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Annabi to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members have before them document S/2003/421 containing the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

At this meeting, the Security Council will hear a briefing by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

I welcome Mr. Annabi and give him the floor.

Mr. Annabi: As you have just noted, Mr. President, members of the Council have before them the latest report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK), which was issued on 14 April. The report outlines the activities of UNMIK and the main developments in Kosovo, Serbia and Montenegro, during the first three months of this year.

As suggested by last year's Security Council mission to Kosovo, the structure of the report follows the eight benchmarks which have been defined by Mr. Michael Steiner, the Special Representative of the Secretary-General, with the aim of providing a realistic picture of the progress made and challenges faced in achieving these agreed-upon benchmarks. The report, therefore, goes into somewhat more detail than is usually the case.

The report highlights the continuation of the transfer to the Kosovo Provisional Institutions of Self-Government of the responsibilities outlined in chapter 5 of the Constitutional Framework. A significant step in this regard was the establishment of a joint Transfer Council, comprising representatives from UNMIK and from the Provisional Institutions, to oversee, coordinate and manage the transfer process. The Transfer Council met for the first time on 8 April and established three working groups: one on finance, recruitment and logistics; one on technical assistance; and one on monitoring and intervention. The transfer process will continue to be implemented at a pace which will take into account the capacity of the Provisional Institutions to assume the relevant responsibilities.

The authority of UNMIK under Security Council resolution 1244 (1999) and the reserved powers and responsibilities listed in chapter 8 of the Constitutional Framework will not be affected. At a later stage, the increased involvement of the provisional institutions and of the people of Kosovo in the administrative and operational functions in the specific reserved areas identified in chapter 8 will be addressed in accordance

with the provisions of that chapter. This involvement, however, will not affect UNMIK's authority or responsibilities, nor will it include a decision-making role.

The report shows that Kosovo has some way to go in establishing representative and functioning institutions, particularly since the Provisional Institutions have been hampered by political disputes between and within parties. For example, while the Kosovo Assembly continued to hold regular meetings, it remained unable to bridge political and ethnic differences, leading to several walkouts — by Kosovo Albanian and Kosovo Serb parties — and to an inability to hold two meetings.

The report also shows that ethnic violence and crime seemed to be on the increase again after a decline in December 2002 and that, in general, important minority issues such as freedom of movement, use of language and alphabet, and receipt of fair share financing from the municipalities remained problematic, with little tangible progress.

The continuation of ethnically motivated incidents has remained a barrier to the free movement of minority community members, prevented substantial improvement in the level of confidence and made achieving sustainable minority returns to Kosovo difficult, time-consuming and resource-intensive. Still, statistics for the beginning of 2003 indicate an increased pace of returns, resulting from improved structures to support the returns process, enhanced engagement by local authorities and internally displaced persons, and support from the donor community.

The report highlights some positive achievements during this period, such as the increased numbers of minorities in the civil service, including in the judiciary, and the continued development of the Kosovo Police Service. The Kosovo Police Service officers now outnumber the international police officers by close to 1,000 and have been placed in charge of three police stations. The local judiciary dealt with all civil cases and with 97 per cent of the criminal cases. Some progress was made in dismantling the parallel judicial system in Northern Kosovo with the appointment of Kosovo Serb judges and the official opening of some courts in Northern Kosovo under UNMIK administration. Institutional mechanisms in support of minority participation in the civil service were strengthened through legislation and administrative support, with the Office of the Prime Minister playing a leading role.

Another positive development has been the transfer of administrative and operational responsibilities for tax administration to the Provisional Institutions. In addition, the Kosovo Trust Agency adopted its operational policies and procedures and approved the first six socially owned enterprises for privatization.

It is also worth noting that the Council of Europe continued its work in developing a concept for a sustainable reform of local Government, aimed at the gradual devolution of powers to the local level, bringing service delivery and decision-making closer to the people and identifying the most appropriate structures for local democracy, in line with the principles of the European Charter of Local Self-Government and not based upon ethnic divisions. The task is being carried out through consultations with local political party leaders, representatives of the Provisional Institutions, local leaders and international representatives.

Also, a significant event was the arrest of Kosovo Albanians by the International Criminal Tribunal for the former Yugoslavia, which occurred without major incident and without opposition from the political parties. There have been a number of peaceful demonstrations against these arrests and other trials, arrests and judicial investigations, primarily of former Kosovo Liberation Army (KLA) members charged, among other things, with war crimes, terrorism and organized crime. The report notes that, overall, the rate of criminal incidents for the first three months of this year remained generally consistent with that of the last reporting period. There were, however, grenade and other attacks against UNMIK police stations in Pec, Pristina and Mitrovica; fortunately, these attacks did not result in any injuries. Since the report was finalized, a witness for the prosecution in the concluded trial of five former members of the KLA was, unfortunately, shot dead.

One example of growing extremism was the explosion on 12 April, which caused serious damage to a railway bridge in northern Kosovo, cutting off railway traffic to Central Serbia. Two individuals who were reportedly involved in planting the bomb, and one of whom was apparently a member of the Kosovo

Protection Corps (KPC), were killed in the incident. An ethnic Albanian extremist group has claimed responsibility for this attack, following which Mr. Steiner issued an Administrative Direction implementing the UNMIK regulation on the prohibition of terrorism and related offences, determining that this ethnic Albanian extremist group is an illegal organization as defined by the regulation. Three individuals have been detained in connection with this attack. A trial on terrorism charges against three suspects who are allegedly members of this group is also currently underway. The Kosovo Protection Corps has undertaken to determine if any KPC members are involved in illegal activities and organizations and to provide UNMIK and the Kosovo Force with their names.

The report also provides what we feel is a candid view of the development of the Kosovo Protection Corps. Substantial work remains to be done with the KPC, with the most fundamentally challenging task remaining its transformation into a multi-ethnic body focused solely on its civilian emergency mandate.

Overall, there appear to be increasing attempts to try to undercut resolution 1244 (1999) and the Constitutional Framework, forcing the Special Representative to intervene. The Kosovo Government recently sought to challenge the Special Representative's reserved powers in the Transfer Council by asking for the creation of new ministries to exercise authority over reserved areas. Mr. Steiner has rejected this request, of course with our support here. The Kosovo Assembly also sought to implement a law on higher education, even though the Special Representative had not promulgated it because it did not take into account what are regarded under the Constitutional Framework as vital interests of the Kosovo Serb community. Mr. Steiner immediately declared that the Assembly's action did not have legal effect and we are grateful for the support expressed by the Council in this regard.

Four laws, including the law on higher education, have been returned to the Kosovo Assembly with a request for appropriate remedial action, since they are not in compliance with resolution 1244 (1999) and the Constitutional Framework. The Assembly, however, has not yet acted on these laws. UNMIK is seriously concerned about the loss of time in enacting the legislation, which is damaging for the governance and development of the Kosovo Provisional Institutions. Should the Assembly not amend these laws appropriately, Mr. Steiner will need to proceed with the promulgation of these laws with the necessary adjustments.

On the Kosovo Serb side, I would like to recall that Kosovo Serb representatives did not participate in the first meeting of the Transfer Council, despite the assurances provided by UNMIK that there would not be any transfer outside the parameters set by resolution 1244 (1999) and the Constitutional Framework. In addition, two unions of Kosovo Serb-majority municipalities were formed, the first in Northern Mitrovica and the second in Eastern Kosovo. UNMIK has not recognized either of these unions as legitimate structures, since they are based on mono-ethnicity.

Mr. Steiner also sought to start a dialogue on practical maters between the Belgrade authorities and the Kosovo Provisional Institutions. After initial support, leading Kosovo Albanian politicians backed away from the initiative, citing, among other factors, a number of preconditions for the dialogue, including the need for further progress in the transfer process. Similarly, although the Belgrade authorities initially endorsed the idea, they have also expressed an unwillingness to participate owing to the transfer of additional responsibilities to the Provisional Institutions. Efforts to initiate the direct dialogue were postponed following the assassination of Serbian Prime Minister Djindjic.

Overall, the report provides a detailed account of what is a complex and mixed situation on the ground in Kosovo. It also shows that there has been steadily increasing pressure on UNMIK from all sides, with demands to satisfy either mutually exclusive desires or to violate the letter and spirit of resolution 1244 (1999) and the Constitutional Framework. Radical action and pronouncements by one side or the other have increased since the beginning of this year. Voices of moderation do indeed exist, and a number of constructive initiatives have been pursued. But, by and large, those voices have been weak and, to some extent, muted. That has made the promotion of dialogue across political and ethnic lines within Kosovo more difficult, both as regards the Kosovars and between Belgrade and the Provisional Institutions of Self-Government.

As much as possible, the Mission has sought to balance the competing, and often conflicting, desires and demands of the leaders and people of Kosovo, with

a view to preventing instances of extremism. UNMIK has stayed the course, and it will continue to do so. It will continue to encourage dialogue and multi-ethnicity and to facilitate the acceptance and achievement of the benchmarks. The "standards before status" policy remains the framework for the way forward. Of course, local leaders and the people of Kosovo have the primary responsibility to support UNMIK's efforts to achieve measurable progress towards meeting the agreed-upon standards and to reject extremism. At the same time, the continued and active support of the Security Council will remain essential to ensuring the full and fair implementation of the mandate entrusted to UNMIK under resolution 1244 (1999).

The President (*spoke in Spanish*): I thank Mr. Annabi for his briefing to the members of the Security Council. I would also like to thank the Secretary-General for his report to the Council.

Mr. Valdés (Chile) (*spoke in Spanish*): First of all, I would like to thank you, Mr. President, for having called this public meeting of the Security Council.

Chile reiterates its support for the greatest undertaking in the area of peace-building in the history of the United Nations, namely, the United Nations Interim Administration Mission in Kosovo (UNMIK), in which our country is honoured to take part. We appreciate the professionalism demonstrated by Mr. Michael Steiner, the Special Representative of the Secretary-General for Kosovo, as well as by all of UNMIK's personnel. We also wish to thank Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations, for his detailed briefing on the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2003/421).

At the outset, I would like to convey my Government's condemnation of the assassination of Mr. Zoran Djindjic, Prime Minister of the Republic of Serbia. We hope that this repugnant event does not undermine the dialogue between Belgrade and Pristina, which is key to this process. We emphasize once again that resolution 1244 (1999) is the cornerstone of that process and the legitimate instrument to achieve the triple objective of the resolution's mandate, namely, to provide an administration for Kosovo, to create institutions and to facilitate a political process to determine Kosovo's final status. With regard to the latter, we support the principle of "standards before status". We call on the parties to avoid the provocative tone contained in recent statements regarding that policy.

Given that this is a crucial year for the gradual transfer of executive and legislative powers to the people of Kosovo in accordance with chapter 5 of the Constitutional Framework, we believe it is necessary to recognize the progress that has been made in the first three months of 2003 as regards the transfer of additional responsibilities to Kosovo's Provisional Institutions of Self-Government. In that connection, we commend the work done by the Transfer Council created by UNMIK and the Provisional Institutions. The Provisional Institutions should continue to become more familiar with their operations and basic responsibilities. In addition, internal and external squabbles should come to an end, in order that significant progress can be made on substantive matters.

We categorically reject the existence of parallel structures in the municipalities, as they hinder the functioning of legitimate institutions and run completely counter to the provisions of resolution 1244 (1999).

We recognize the significant progress made in the first three months of 2003, including the strengthening of the institutional mechanisms that provide support for the participation of minorities in the central administration; the support provided for education and civil participation; the registration of non-governmental organizations; the creation of five ad hoc inter-ministerial committees; the hiring of additional judicial personnel, including members of minority communities; and, finally, the operation of the "Freedom of Movement" train. We also recognize the efforts made by the parties to cooperate with the International Criminal Tribunal for the former Yugoslavia. We trust that those efforts will continue.

However, we are concerned about the incident that took place on 3 April in connection with the law on higher education. As noted, that incident certainly does not contribute to establishing a climate conducive to the understanding and dialogue that must prevail between UNMIK and the Kosovo Assembly. Similarly, we are alarmed by the increase in organized crime, violence, harassment, discrimination, ethnically motivated crime, restrictions on freedom of movement and grenade and other attacks against police stations.

Mr. Wehbe (Syria) (*spoke in Arabic*): My delegation would like to thank Mr. Hédi Annabi for his frank and comprehensive briefing to the Council this morning on the latest developments in Kosovo. We also welcome the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2003/421).

My delegation is pleased with the important progress made in the first three months of this year, reflected in the transfer of further powers to Kosovo's Provisional Institutions of Self-Government in accordance with chapter 5 of the Constitutional Framework. Likewise, the Special Representative of the Secretary-General will retain the responsibilities reserved for him under chapter 8 of the Constitutional Framework. In addition, the establishment of the Transfer Council will lead to coordination of efforts in methodically transferring responsibilities to Kosovo's local authorities.

We welcome the holding of the first meeting and the establishment of the three working groups, on finance, technical assistance, and monitoring and intervention. At the same time, we regret that rivalries among parties within the Provisional Institutions prevented more progress from being made in important areas. The shattered political infrastructure of the Kosovo Albanians has affected the work of the Government and of the presidency of the Kosovo Assembly. Those rivalries are undermining the role of both institutions and are threatening their stability.

We believe that we should now focus on establishing the rule of law, combating organized crime and preventing ethnic violence, in order to create the right atmosphere for a smooth transfer of powers, which will lead to stabilization of the political and security situation in Kosovo. Moreover, we must ensure freedom of movement everywhere in Kosovo for all segments of society, in a way that will guarantee their security and safety and will encourage their participation in all economic sectors in the rebuilding of the province, which has experienced tension for so long. We believe that if such a security situation is created, it will lead to the return of refugees and émigrés to their country in order to participate in the rebuilding of Kosovo and will encourage more focused investment in all sectors of society.

We also heard from Mr. Annabi that there has been an increase in the number of returning refugees and displaced persons. We reaffirm the need for continued dialogue between Belgrade and Pristina, so that the Provisional Institutions can join UNMIK in its efforts to establish a direct dialogue on practical issues with neighbouring countries.

We agree with the observations contained in the report of the Secretary-General (S/2003/421), and we reaffirm that the process of transferring responsibilities must be studied thoroughly so that we will not create unforeseen problems as a result of haste, especially during the transfer process, which requires greater security and closer attention.

Finally, we should like to thank Mr. Steiner and UNMIK for their efforts to achieve a settlement and stability in that important part of the world. Once again, the role of the United Nations is proving to be crucial in the settlement of post-conflict problems.

Mr. Akram (Pakistan): I should like to express our gratitude to Assistant Secretary-General Hédi Annabi for introducing the Secretary-General's report (S/2003/421) and for his comprehensive briefing on the United Nations Interim Administration Mission in Kosovo (UNMIK). Pakistan attaches great importance to the work of the United Nations Interim Administration Mission in Kosovo and supports the full implementation of all the provisions of Security Council resolution 1244 (1999).

The people of Kosovo have suffered considerably, both historically and during the hostilities that took place five years ago. Mr. Annabi's briefing identified a series of problems and issues that continue to complicate the task of establishing and sustaining peace and stability in Kosovo. That experience, and the difficulties encountered by the international community, are one indication of the complexity of sustaining post-conflict peace and rebuilding a country after war. The lessons that we are learning in Kosovo are relevant for the United Nations in other situations where it is involved or is likely to be involved in the future.

Pakistan was not a member of the Security Council when resolution 1244 (1999) was adopted. I must state that we consider the "standards before status" approach — which has been applied in this case — to be unique, and we believe that it is applicable only in the case of Kosovo. As a general rule, the status issue should be the Security Council's primary concern. Earlier this month, in his 9 April

report on another issue before the Council, relating to Georgia, the Secretary-General made the following observation:

> "... the status question cuts across every aspect of a final peaceful settlement. Without its satisfactory resolution, a sustainable settlement is likely to remain elusive." (*S/2003/412, para. 27*)

The Secretary-General's observation on Georgia is, in our view, applicable to a whole host of issues on the Security Council's agenda. We believe that the resolution of the status question should be the primary focus of the Council's work in all but the most exceptional of cases.

I now turn to the report itself. We regard the transfer of further responsibilities from the United Nations to local authorities as an important step in the implementation of resolution 1244 (1999). We urge the leaders in Kosovo to take full advantage of the opportunity that has been provided to them to administer their affairs through the Provisional Institutions. We support the Secretary-General's call on local leaders to work together to consolidate those Institutions by focusing on substance and practical results rather than on holding institutional developments hostage to political or ethnic differences.

Pakistan also supports — in Kosovo as elsewhere — the unconditional right of refugees and displaced persons to return to their homes. In that regard, we condemn acts of intimidation, threats and violence from any quarter. Like the Secretary-General, we call on the leaders and the people of Kosovo to put an end to such acts and to work actively on inter-ethnic dialogue and reconciliation. We also support the initiative taken by the Special Representative of the Secretary-General, Mr. Michael Steiner, to establish a dialogue between Belgrade and Pristina on practical matters of mutual concern.

We appreciate the progress made by the United Nations to improve conditions in Kosovo despite tremendous obstacles. We commend the United Nations efforts to promote a peace based on multi-ethnic accommodation and the rule of law. We hope that those efforts will continue and that important progress will be made in the implementation of resolution 1244 (1999). Such progress will, we hope, consolidate peace and stability in Kosovo and across the entire area of the former Yugoslavia and its neighbourhood.

Mr. Pleuger (Germany): My delegation wants to associate itself with the statement of the Greek presidency of the European Union, which will be delivered later in this meeting.

My delegation is grateful for the briefing by Assistant Secretary-General Annabi and for his introduction of the report of the Secretary-General (S/2003/421). His briefing and the Secretary-General's report of 14 April describe the positive changes and achievements over the past three months. But at the same time, they also show that Kosovo and the United Nations Interim Administration Mission in Kosovo (UNMIK) require unrelenting attention and continuous support.

I thank the Special Representative and his UNMIK team for their tireless efforts in keeping Kosovo on track. They have succeeded in spite of numerous attempts to slow down a process which aims at meeting the benchmarks set out by the Special Representative.

In that context, we feel that the "standards before status" policy needs to be upheld. Recent developments in the Kosovo Assembly, in particular the attempt to circumvent the reserved powers of the Special Representative, testify to this. The Assembly has unfortunately proven that continued control is warranted in order to realize a democratic and multi-ethnic Kosovo respecting minority rights. The current process of transferring competencies to the Provisional Institutions of Self-Government is not in contradiction with ensuring continued control by UNMIK. Accountability is at the core of this issue. The Provisional Institutions must convince us that they are willing and capable of exercising their responsibilities in a way that benefits all Kosovans.

The Kosovo Serbs are part of Kosovo society. They enjoy, under the Constitutional Framework, far-reaching rights for representation and participation in the political arena. Their four-month boycott in the Kosovo Assembly was to their own detriment. Their active contribution in shaping political life and the nascent Kosovo society is crucial to safeguarding the specific rights that have been given to them. We urge that important and valuable part of Kosovo society to participate in the process of transferring competencies to the Provisional Institutions. At the same time, we recognize that some rightful expectations of Kosovo Serbs with regard to the return of displaced persons

and with regard to decentralization need to be tackled with renewed vigour.

With regard to the criticism of UNMIK's performance that has been voiced from various corners inside Kosovo, but also from Belgrade and from the international community, I would like to say the following. We all stand for the joint international effort that is UNMIK's reason for being. That peace mission can only be as good as the support it receives from the international community. The Mission relies to a great extent on the readiness of local and regional partners to cooperate constructively. Unfortunately, that sort of willingness for constructive cooperation has recently been missing to a certain extent.

Solving the status issue, one way or another, in a rushed manner will not solve the underlying problems of Kosovo and the region as a whole. There is still plenty to do for the Kosovans, UNMIK and the international community before questions of status can reasonably be addressed. Germany strongly holds the view that this order of things must be retained.

Mr. Ekorong à Dong (Cameroon) (*spoke in French*): My delegation thanks Mr. Hédi Annabi for his introduction of the report of the Secretary-General (S/2003/421). The highly informative briefing that we have just heard updates and complements the report of the Secretary-General on the situation in Kosovo during the last three months. His briefing and the report that it complements enable us to assess the progress made in the institutional, security and economic areas. It is worth recalling that those three areas constitute the three agreed priority pillars for Kosovo for 2003.

The functioning of the Kosovo Provisional Institutions of Self-Government is a reality in the province, despite the lack of progress in dealing with substantive issues. That lack of progress, duly noted by the Secretary-General, is caused by internal disputes, which, in turn, are fuelled by partisan rivalries that spawn intolerance, hatred and the rejection of the other.

While we should welcome the acceleration of the transfer to the Provisional Institutions of the responsibilities outlined in chapter 5 of the Constitutional Framework, there is reason to regret the tendency of the Provisional Institutions not to abide in their activities with the relevant provisions of resolution 1244 (1999). My delegation reaffirms that any decision taken by the Provisional Institutions must be in strict conformity with the provisions of that resolution and with those of the Constitutional Framework.

As well, the activities of the Provisional Institutions and of the municipalities must involve all segments of the society of Kosovo. That requires the participation of all stakeholders in the province, indeed of the region, in order to facilitate the reintegration, protection, education and especially the security of minorities.

The precarious security situation of minorities leads me to address the second pillar of our priorities as agreed for Kosovo in 2003: addressing the lack of security. According to the report of the Secretary-General, lack of security in Kosovo mainly affects minorities. According to the report, minorities are victims of acts of intimidation, harassment, discrimination, threats and violence intended to discourage them from participating in public life. Such acts are reprehensible because they seriously jeopardize the fragile dialogue for inter-ethnic reconciliation and because they are a serious obstacle to the return of displaced persons. They defeat the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK), which with courage, determination and persistence is setting up attractive projects to benefit those wishing to return to Kosovo. A total of 247 returns were observed from January to March 2003. That is an average of 82 persons per month. That rate of return is particularly telling.

Faced with a situation that is destroying the hopes of an entire people and of the international community, we reiterate our appeal for dialogue and tolerance to all segments of society in Kosovo. That is the only way for a climate of peace to prevail in this part of the Balkans, which is the only way to create conditions of economic and social development benefiting all.

The current environment marked by the lack of security and the absence of a strong judicial system can hardly attract private investment. Worse, it could lead to the gradual disengagement of the international community. The result of this state of affairs is there to see: the weakening of economic activity in Kosovo. To be sure, enormous efforts have been made to train the Kosovo police and to make the rule of law irreversible.

But the facts graphically remind us that much remains to be done to ensure that Kosovo becomes a State based on the rule of law — a country where peace

prevails and that can, as a result, attract the private investment that can facilitate positive economic growth, which, in the long term, would ensure the development of the province.

If Kosovo is to develop in such a manner — and we ardently hope that it will — the people of Kosovo themselves, whatever their ethnic background, must think of the future of their region and return to the high-minded path of peace, tolerance and brotherhood.

I cannot conclude without conveying strong encouragement to the Secretary-General, to his team and to the men and women of UNMIK, who, working with courage and determination, are seeking to implement the recommendations of the international community in order to bring about peace and development for the benefit of all in Kosovo.

Mr. Tafrov (Bulgaria) (*spoke in French*): I would like to thank you, Mr. President, for having convened this meeting. I would also like to thank the Assistant Secretary-General, Mr. Hédi Annabi, for his very thorough and substantive briefing, as well as the Secretary-General for his report on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2003/421). The report is objective, as always, and eloquently sets out the ongoing efforts of the international community, through UNMIK, to normalize life in Kosovo.

As a country associated with the European Union, Bulgaria fully supports the statement to be made later by the representative of Greece on behalf of the Union. I will therefore limit my comments to a few brief remarks in my national capacity.

My country welcomes the fact that the transfer of responsibilities to the Provisional Institutions is taking place in accordance with paragraph 11 of resolution 1244 (1999). We hope that the Transfer Council, which was recently set up, will work in a cautious manner, while ensuring that the benchmarks are swiftly implemented and that the legitimate interests of all the communities and citizens of Kosovo are respected.

I believe that it would be of interest to the Council if Mr. Annabi could tell us whether UNMIK has considered setting up — or has already set up — a relatively structured mechanism to monitor the way in which the Provisional Institutions are carrying out the responsibilities that have already been transferred to them. I believe that it would be useful for the Council to gain an overview of the way in which the new institutions are carrying out the duties that are entrusted to them as the political process evolves.

We hope that the drawing up of a road map encompassing all aspects of the process of transferring responsibility will contribute to the establishment of benchmarks, which are an indispensable condition for a lasting solution with regard to the status of Kosovo. In that regard, my delegation would like to express its concern about the attempt by certain Kosovo Albanian political leaders, including representatives of the Kosovo Assembly, to circumvent the powers reserved under the Constitutional Framework for the Secretary-General's Special Representative. We believe that both the Provisional Institutions and the Kosovo Albanian political parties must work harder to develop a political culture that can bring to an end attempts to disregard the recommendations of the Special Representative of the Secretary-General, as such behaviour has an adverse affect on the political process in Kosovo.

That is the only way to bring about a climate in the region that is conducive to a decision-making process that takes into account the interests of all of the communities of the region.

We believe that a special effort should be made to establish an effective administration at every level in Kosovo. Such an administration should reflect the multi-ethnic character of the region and serve the population in a professional manner. Bulgaria condemns the acts of inter-ethnic violence that unfortunately have become more frequent than in previous months, as well as the signs of organized crime in Kosovo. We call on local political leaders to use their authority and their influence to contribute to the creation of a climate of inter-ethnic and human tolerance.

It is clear that throughout 2003 the Security Council and UNMIK will have to pay special attention to the return of displaced persons — a process that is still encountering difficulties, particularly at the local level. My country supports the efforts of the Special Representative of the Secretary-General in combating organized crime and trafficking in human beings, as well as his efforts to re-launch the economy by attracting investment and to resolve the daily problems experienced by the people of Kosovo. The positive results that have been achieved with regard to setting

up the tax administration and the customs service are examples of movement in the right direction.

My delegation believes that transforming the Kosovo Protection Corps into a multi-ethnic force with very clearly defined functions — civilian protection and civilian emergency intervention — should continue with greater vigour. We believe that financing the Corps out of the regional budget provides an effective means of control.

Bulgaria believes — and here we agree with the comments of Ambassador Pleuger of Germany — that Kosovo has still not reached the level of political development that would make it possible for us to consider the question of its final status and to include that issue on the current agenda of the international community and the Security Council. The presence of UNMIK and KFOR in Kosovo will continue to be a key factor in the stability not only of Kosovo but of the entire region, as well as a guarantee of peace and stability. My country will continue to take part in the operations of international structures aimed at maintaining peace and security.

In the months to come, the international community and all the local political leaders must focus their attention on resolving specific problems on which normalization of life in Kosovo depends — the establishment of local institutions, the assumption of greater responsibilities on the part of the local authorities and better control of the underground economy and organized crime.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): We are grateful to the Secretary-General for his report and to Assistant Secretary-General Hédi Annabi for introducing it. We agree with the assessments and recommendations contained in the report. Unfortunately, they paint a troubling picture of developments in the province.

We note, of course, the progress that has been made in the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK), in particular in the economic area and with regard to assisting in the setting up of the Kosovo Police Service. However, we share the concern expressed in the report of the Secretary-General at the challenge presented to the international community by the leaders of the Kosovo Albanians. Their actions run counter to resolution 1244 (1999) and to the authority of the Mission.

The Kosovo Assembly's attempts to enact laws on higher education and on a property tax, without their being approved by the Special Representative, are a clear example of this. Furthermore, the Kosovo Albanian leaders are taking these actions in spite of the clearly expressed negative position of Michael Steiner — actions that could derail the inter-ethnic dialogue and reconciliation process in Kosovo.

Unfortunately, in this area the overall picture is far from what we had hoped for. As is clear from the report, in two thirds of the Kosovo municipalities conditions are unsatisfactory for the return of non-Albanian refugees. Violence, harassment and discrimination are continuing against minorities, primarily the Serb minority. There is still no equality in terms of conditions of security or freedom of movement for all inhabitants of the province. Minorities continue to face serious obstacles in terms of employment in the administrative structures and in the area of access to public institutions or to the judicial system.

This year saw an upsurge in ethnically motivated violence and political crimes within the Kosovo Albanian community. Terrorist acts have even been committed, including the destruction of the railway bridge in Zvecan. The perpetrators of those acts openly proclaim their presence and their goals. Those activities must be strongly condemned and specific measures taken to put an end to them.

We are seriously concerned at the maintenance of the Kosovo Protection Corps (KPC) as a paramilitary organization. It is, in fact, the successor of the so-called Kosovo Liberation Army. We deem it unacceptable that, notwithstanding the provisions of resolution 1244 (1999) and of the Constitutional Framework, KPC leaders openly proclaim their allegiance to the military values of the KLA and their goal of turning the KPC into an army of an independent Kosovo. Maintaining the status quo regarding the KPC is a potential source of destabilization in the province — one that could spark a new war of violence on inter-ethnic grounds.

We are convinced that mere pro forma verbal assurances by the Kosovo political leaders with respect to their commitment to resolution 1244 (1999) and to the Constitutional Framework are not sufficient. Such assurances need to be backed by real practical steps. Failing that, we cannot hope to see full participation by

minority representatives in the activities of the Provisional Institutions of Self-Government in the province or in the dismantling of parallel structures.

Naturally, we agree with the view of the Secretary-General regarding the need for the constructive participation of all Kosovo communities in the work of the provincial and municipal Institutions of Self-Government. We hope that UNMIK and its leader, Mr. Steiner, will continue to take a consistent position in opposing the growth of radical tendencies in the province and in preventing Albanian extremists from using the Provisional Institutions of Self-Government to attain their political goals and to turn Kosovo into a quasi-State.

We call on UNMIK to continue its robust action to establish the rule of law in the province, as required by resolution 1244 (1999). Attempts by the Kosovo Provisional Institutions of Self-Government to call into question UNMIK's authority are unacceptable.

We reaffirm our support for the concept of "standards before status". We note the importance of the planned process of transferring further responsibilities to the Provisional Institutions of Self-Government of the province, which are clearly outlined in chapter 5 of the Constitutional Framework. This process must be carried out in strict compliance with resolution 1244 (1999). We do not deem it advisable to accelerate action in this area. We believe that the pace should be set taking account, inter alia, of the effectiveness of the work of the Provisional Institutions of Self-Government in areas in which they have already received all of the necessary authority. The process of handing over authority should in no way subvert the decision of principle regarding the status of the province; that decision should be taken at a later stage, in strict compliance with resolution 1244 (1999).

We consistently advocate the continuation of constructive cooperation between UNMIK and the Belgrade authorities. In this connection, we welcome Belgrade's invitation to the Mission to become involved in the resolution of practical questions related to the opening of two new border crossing points on the Kosovo section of the border between Serbia and Montenegro and Macedonia.

We agree with the view of the Secretary-General regarding the need to establish dialogue, in a constructive spirit, between Belgrade and Pristina on practical issues. That is the key to resolving that many problems that continue to impede the full implementation of resolution 1244 (1999) as a whole.

Mr. Zhang Yishan (China) (*spoke in Chinese*): The Chinese delegation wishes to thank the Secretary-General for his report as well as Assistant Secretary-General Annabi for his additional briefing.

Since the beginning of this year, some progress has been made in the overall situation in Kosovo. The Provisional Institutions are now relatively familiar with their operations and core functions. The United Nations Interim Administration Mission in Kosovo (UNMIK), according to chapter 5 of the Constitutional Framework, has transferred relevant responsibilities to the Provisional Institutions.

However, Kosovo still faces many grave challenges. For instance, organized crime is on the increase, and hand-grenade and other attacks targeting UNMIK have taken place. Overall economic activities are on the decline, and the unemployment rate remains high. Ethnic minorities remain at a disadvantage and are often subjected to violence, harassment and discriminatory treatment. All of this shows that there is a long way to go in order to meet all the benchmarks. We hope that the local leadership of Kosovo will take account of overall interests, fully cooperate with UNMIK and the Government of Serbia and Montenegro in order jointly to make Kosovo into a society characterized by social stability, economic development and ethnic harmony.

According to the report of the Secretary-General, from time to time comments are made regarding the status of Kosovo. The Chinese delegation is concerned about these comments. We believe that Security Council resolution 1244 (1999) remains the international community's policy basis with respect to the question of Kosovo.

The resolution should be implemented effectively. We call on all parties to act with caution and to refrain from any comment or action that undermines the peace and stability of the region.

Mr. Duclos (France) (*spoke in French*): Allow me in turn to thank Mr. Hédi Annabi for his briefing, which supplements the Secretary-General's report.

Our common goal is to ensure that progress should continue towards achieving a democratic and multi-ethnic Kosovo that is a source of stability in the region. In that respect, while we support the statement

shortly to be made by the presidency of the European Union, I wish to stress three points.

First, the functioning of the Provisional Institutions must improve significantly. In his report, the Secretary-General notes several areas in which progress has been made. We agree with his analysis. Our demand that such improvements be made is particularly strong given the fact that the gradual transfer of new responsibilities to these authorities is about to begin, pursuant to resolution 1244 (1999) and the Constitutional Framework. The contribution of all communities to the process of provisional self-government is necessary. In this context, we support the request of the Special Representative of the Secretary-General that, by the end of the month, the Kosovo Assembly bring four bills into conformity with the reference texts.

Secondly, the authority of the Special Representative of the Secretary-General and of the United Nations Interim Administration Mission in Kosovo (UNMIK) must be respected. All communities and political parties have a responsibility in this respect and must work to that end in good faith. Their support for the decisive action of UNMIK and the Kosovo Force in promoting the rule of law is in their own best interests. We support Mr. Steiner's initiatives to promote direct dialogue between the Provisional Institutions and Belgrade. We reaffirm our support for the principle of standards before status, which the Provisional Institutions should implement with UNMIK's assistance. Standards are necessary to good governance and to the modernization of Kosovo. We need to continue to address the concrete and respectable issues of multi-ethnicity, democratization and freedom of movement that affect the daily lives of the inhabitants of Kosovo.

Thirdly, violence of any kind, regardless of its origin or motivation — be it criminal, political or ethnic — must come to an end. Violence is unacceptable and incompatible with building a democratic, multi-ethnic and modern Kosovo. It hinders the stabilization of Kosovo and the region as a whole. We are therefore concerned by recent incidents and we fully support the Special Representative's condemnation of them. All communities must denounce these acts and redouble their efforts to deepen the political dialogue and the process of reconciliation.

Mr. Arias (Spain) (*spoke in Spanish*): We wish to thank Mr. Annabi for his presentation of the Secretary-General's report. Given the fact that the representative of Greece will make a statement on behalf of the European Union, I shall limit myself to making a few comments.

Kosovo has a huge challenge before it. Its institutions have yet to demonstrate that they can function normally and be truly representative. Furthermore, recent incidents, such as the attack on a bridge that took place a few days ago, recall images of a past that is not entirely obsolete. The process of the transfer of powers should be gradual and take into account the capacity of institutions to assume responsibilities. The basic idea is that the Provisional Institutions of Self-Government should be accountable to the people of Kosovo in the provision of services and to the Administration which they serve. These responsibilities do not include the powers reserved for the Special Representative in accordance with chapter 8 of the Constitutional Framework.

Spain is greatly concerned by the fact that the Kosovo Albanian leaders and the Provisional Institutions publicly and continually promote positions that run counter to resolution 1244 (1999), instead of devoting themselves exclusively to the management and administration of matters under their authority that affect the entire population of Kosovo, including refugees. The refusal to take the interests of minorities into account and the decision of the Kosovo Assembly to adopt a law on higher education violate the Constitutional Framework and run counter to resolution 1244 (1999).

All the Kosovo communities should take part in the provisional and municipal institutions. We therefore condemn any attempt to create mono-ethnic institutions and urge the dismantling of the parallel administrative structures that continue to function.

The return of displaced persons and refugees is an issue that remains to be resolved, despite the minimal progress achieved with UNMIK's intervention. We are particularly disturbed by the fact that there are still cases of violence, threat, intimidation and discrimination against members of minorities. Kosovo will be a democratic society only when the majority respects the minority.

Finally, we appeal for dialogue between Belgrade and Pristina within the framework of resolution 1244

(1999). The leaders of both sides should avoid creating tension and work constructively. That will certainly be to the benefit of all communities.

Mr. Diallo (Guinea) (*spoke in French*): I thank Mr. Hédi Annabi for his introduction of the report of the Secretary-General and for the additional information he has just given us.

I take this opportunity to reiterate my delegation's condolences to the Government of Serbia and to the family of Zoran Djindjic, the late Prime Minister of Serbia.

My delegation's reading of the report before us prompts us to express our appreciation of the fact that the Provisional Institutions are gradually learning their functions and responsibilities. We encourage the continuation of programmes of civic education and the recruitment of senior officials, particularly that launched by the Office of the Prime Minister for members of minority communities.

The successful exercise of administrative, political, economic and cultural power requires the involvement of representatives of all components and segments of Kosovo society. The authorities of the provisional and municipal institutions, in cooperation with the United Nations Interim Administration Mission in Kosovo (UNMIK), must play a leading role in this regard.

With respect to the rule of law, we note and regret the upsurge of violence and ethnicity-based crime, as well as organized crime. We support any measure that seeks specific solutions to these problems and we encourage efforts under way to improve the functioning of the judiciary, the Kosovo Police Service and the regional UNMIK Police Witness Protection Programme. We call on the Belgrade authorities to take the necessary steps to put an end to the operation of parallel tribunals, the existence of which can only jeopardize the effective implementation of resolution 1244 (1999).

My delegation is also concerned about continuing difficulties with regard to freedom of movement — particularly for members of minority communities — as well as about the difficulties encountered by those groups throughout Kosovo when it comes to freely utilizing their languages and alphabets. UNMIK, the Provisional Institutions of Self-Government and the municipal authorities must intensify their efforts to find concrete solutions to those problems.

Issues pertaining to the right of return and to minority and property rights continue to be a source of concern. Resolving them would mean greater stability in the province. The steps taken by UNMIK, the Provisional Institutions, local authorities and the donor community to improve structures intended to facilitate the return process should be fully supported.

My delegation welcomes the progress made in the inter-ethnic dialogue and in the area of municipal integration thanks to the activities of UNMIK, KFOR, the Office of the United Nations High Commissioner for Refugees and non-governmental organizations.

With regard to property rights, we welcome the result of the steps taken by the Housing and Property Directorate. We encourage it to continue its work. We also appeal to the donor community to provide the necessary resources to complete work in the areas of return, integration and property rights.

With regard to economic activities, my delegation appreciates the continued strengthening of the legislative and administrative framework. We note in particular the drafting of new legislative acts that stress compatibility with European Union standards, especially the Stabilization and Association Process Tracking Mechanism with the European Commission. Despite those achievements, however, increased involvement by the international community would contribute to reversing the downward trend in economic activity. We should also turn our attention to the regional dimension of trade, and clearly define regional mechanisms in that regard.

With regard to the dialogue with Belgrade, my delegation encourages Mr. Steiner to continue his efforts. We call upon Belgrade and Pristina to overcome the obstacles being encountered on the path to reason, in order to find solutions to outstanding problems.

Moreover, the reorganization of the Kosovo Protection Corps and its transformation into a multi-ethnic body specializing in civilian emergency intervention should continue, and should lead to conclusive results in the interest of all Kosovans.

Lastly, my delegation supports the Secretary-General's recommendations. We would like to emphasize that Kosovans must abandon their internal

disputes and favour dialogue in defending the common values essential to building a multi-ethnic and prosperous society.

Mr. Williamson (United States of America): I would like to thank Assistant Secretary-General Hedi Annabi for his informative and very helpful briefing on the Secretary-General's latest report on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2003/421).

The situation in Kosovo — and, more generally, in the Balkans — continues to be a matter of great importance, as evidenced by Secretary of State Powell's recent visit to Belgrade. Before turning to the Secretary-General's report, let me make a few comments on recent acts of violence in Kosovo.

The United States has provided resources to confront organized crime in the Balkans, and has spoken loudly and often against organized crime and extremist violence. The United States condemns outright violence against witnesses in criminal trials and violence targeted against specific ethnic groups. The United States supports the decision of the Special Representative of the Secretary-General to list the so-called Albanian National Army as a terrorist organization. Its attack on the railway bridge was clearly intended to kill innocent civilians, an utterly despicable act. As President Bush has said, it is never acceptable to target violence against innocent civilians.

The United States finds it incredible that such violence comes only weeks after assassins took the life of the Prime Minister of Serbia. We share in the loss of a democratically elected leader. As my delegation noted at the time, we express our sympathy to the people of Serbia for that loss.

The Secretary-General's report and Mr. Annabi's briefing suggest the challenges we face in our efforts to implement Security Council resolution 1244 (1999). There are some encouraging developments. My delegation is pleased by the continued progress in training and strengthening the Kosovo Police Service. My delegation is encouraged by the report of some progress in dismantling the parallel judicial system in northern Kosovo. My delegation is encouraged to learn that the first six enterprises have been approved for privatization. But Assistant Secretary-General Annabi's report of growing extremism, grenade attacks on UNMIK police stations and the painfully slow pace of refugee returns powerfully reminds the Security Council that much work remains to be done. And of course, that was the conclusion of the Security Council's mission to Kosovo last December.

There is uneven progress in consolidating Kosovo's elected Government. The functioning of the Provisional Institutions of Self-Government must improve. Some of the uneven progress stems from insecurity about the future; some of it comes from a difficult and emotional history; yet other problems spring from a lack of capabilities and experience. There are equally sobering realities involving ongoing efforts to integrate the Serb minority into the Provisional Institutions of Self-Government. The progress on returns is slow, as I have noted. Respect for minority rights is inconsistent. We here in New York always seem to be in the middle of a chicken-or-egg debate that has no end. Those in the Government pledge to do more to reassure minorities; things will change, they say, when they are secure about the future and when Kosovo's Serbs participate in the Provisional Institutions. Kosovo's Serbs argue that they will do so when there are more returns, more respect for minorities and less talk about independence.

The United States Government continues to support the Council's consistent response to all of that. Quite simply, we must do all that is practically necessary to implement Security Council resolution 1244 (1999). That means achieving the benchmarks that have been delineated and that must be met before status issues can be resolved. It means getting the Kosovo Assembly to focus on practical problems instead of on declaratory motions that have no basis in law. It means reinforcing absolute respect for minorities and the rule of law. It means creating an environment inviting for the return of refugees. It means transferring non-reserved authority to local leaders, even if we are sure there will be missteps.

When those mistakes happen, the painful but necessary response is to say, "Try again". Last week, members of the Security Council criticized the Kosovo Assembly's action on the higher education law. That does not mean that there is a simple solution. The United Nations Interim Administration Mission in Kosovo, and especially the Special Representative of the Secretary-General, Michael Steiner, must work with the Provisional Institutions to ensure that the legislation comes out right. I emphasize "work with". However difficult or pragmatic, a functioning partnership is required. Ultimately, it is the Kosovo

Assembly's job to make the laws, and it is the Government's job to build support for their passage. If democratically elected representatives continue to ignore constitutional safeguards, we hope donors will take note of that defiance.

We must use all the levers at our disposal to encourage respect for the goals set out in resolution 1244 (1999). We must do all we can to encourage responsible government. That is the rationale for United States support for the benchmarks process, and it is the reason the United States believes that UNMIK should complete the transfer of all non-reserved powers to the Provisional Institutions on schedule, by the end of the year.

The details of implementation are for UNMIK and the Special Representative of the Secretary-General to decide, but the atmosphere in Kosovo makes it even more critical that the Special Representative consult in a timely and thorough way with all parties. That can be a painstaking process. It can be difficult; it can be time-consuming. But a more collaborative process will help dampen the inflammatory rhetoric that gives a sense of crisis to every important decision.

Back in February, the Security Council called on the Special Representative of the Secretary-General to produce a plan for implementing the benchmarks. In a presidential statement the Council welcomed the imminent arrival of the plan. The United States continues to believe that a detailed operational plan for achieving the benchmarks is critical. My Government would be willing to provide experts who could help to put a plan together. My delegation hopes that such a plan for implementing the benchmarks will be forthcoming, as requested in February.

Ultimately, progress on the benchmarks will have to be carefully evaluated. We believe that such a determination should include input from the Security Council. We do not believe it would be appropriate to leave the determination solely to the Transfer Council.

In closing, let me say a few words about the dialogue between the United Nations Interim Administration Mission in Kosovo and the Government of Serbia and Montenegro. The United States supports efforts to intensify the consultative process in the context of a common document. Mutual respect will be the key to healthier dialogue. We are sure there are areas where UNMIK and the Government of Serbia and Montenegro can share more information on issues of concern to both sides. In certain cases, however, the Special Representative of the Secretary-General is right to consider carefully how he will exercise the authority granted to him in resolution 1244 (1999).

As is the case everywhere, perceptions in Kosovo are an important factor that should be taken into account. The Government of Serbia and Montenegro has made certain commitments to help establish UNMIK's presence in the north and to dismantle parallel institutions. The United States welcomed those commitments and looks forward to their full implementation. At the same time, we look forward to early progress by the Special Representative on decentralization. We welcome the involvement of the Council of Europe and look forward to its June report. Progress on those fronts will help to ease tensions and reinforce ongoing efforts to promote meaningful Serb participation in the Provisional Institutions.

Mr. Gaspar Martins (Angola): I should like to begin by thanking you, Mr. President, for convening this meeting on the situation in Kosovo. My delegation wishes to express its support and appreciation for the Secretary-General's very substantive report (S/2003/421) and especially to thank Mr. Annabi for the update that he presented to us this morning.

My delegation welcomes the important progress registered in several areas, as provided in Security Council resolution 1244 (1999): the transfer of powers and responsibilities to local institutions, the establishment of municipal administration and of multi-ethnic civil services, and progress in stabilizing the rule of law. The Kosovo Police Service continues to increase in numbers and to improve its working methods.

However, despite that progress, some shortcomings remain, as detailed in the Secretary-General's report and as pointed out this morning by Mr. Annabi. There is the fragility of the political situation and the inadequate dialogue between Belgrade and Pristina; there are acts of intimidation, threats and violence directed against minorities, displaced persons and refugees; and there are still some human rights abuses for ethnic reasons. Those are important areas in which insufficient progress has thus far been achieved. Also, constructive dialogue on practical matters of mutual interest between Belgrade and Pristina must be intensified in order to achieve concrete results in this

process. In addition, Belgrade and Pristina should exert influence in combating violence, in strengthening the rule of law and in maximizing the effectiveness of the international community's efforts.

Resolution 1244 (1999) continues to be the basis of the international community's policy for Kosovo. We wish to express our appreciation for the work of the Special Representative of the Secretary-General, Mr. Steiner, with a view to attaining the objectives of resolution 1244 (1999) and of the Constitutional Framework. The fulfilment of those targets is essential to determine Kosovo's future and requires full commitment by all parties. Kosovo's leaders must therefore demonstrate commitment within the existing framework.

My delegation remains concerned about the situation of internally displaced persons and refugees and about the prevailing violence. We wish to express our appreciation to the United Nations Interim Administration Mission in Kosovo and to the Office of the United Nations High Commissioner for Refugees for their valuable work on the return of refugees; it is important to create conditions favourable for their return. There is also a need to continue monitoring the human rights situation closely.

Let me conclude by reiterating that the policy of "standards before status" remains an achievable objective, and by encouraging all parties involved in this process to work for peace and stability with a view to creating a multi-ethnic and democratic society capable of reintegrating all of the population of Kosovo.

Mr. Harrison (United Kingdom): The representative of Greece will shortly be making a statement on behalf of the European Union; my delegation naturally endorses what he will say.

I should like to join others in thanking Assistant Secretary-General Annabi for his very useful introduction to our debate today. The United Kingdom is very concerned about the recent cycle of violence in Kosovo — for example, as mentioned by Assistant Secretary-General Annabi, the assassination of a witness in the "Dukagjini Group" near Pec/Peja on 14 April and the bombing of the railway bridge on 11 April by Albanian National Army (ANA) extremists. We welcome the condemnation by the head of the Kosovo Protection Corps (KPC) of the individual KPC members who were involved in the bombing.

We therefore fully support the administrative order issued by Michael Steiner, the Secretary-General's Special Representative, on 17 April proscribing the ANA as a terrorist organization. All the indications are that local extremists think that they can act with impunity. Michael Steiner's action makes clear that they cannot. We urge local leaders to condemn all acts of violence and to support the United Nations Interim Administration Mission in Kosovo (UNMIK) police and the Kosovo Police Service (KPS) in their efforts to clamp down on extremism.

The United Kingdom is also concerned at reports of an increase in organized crime. We therefore welcome the closer cooperation between UNMIK police and the Central Intelligence Unit, the Kosovo Organized Crime Bureau, the Financial Investigations Unit and others, as they work together to combat organized crime.

The United Kingdom reiterates its support for the process of transferring powers to the Provisional Institutions of Self-Government in Kosovo, as set out in chapter 5 of the Constitutional Framework. But that transfer can only be on the basis of compliance with the provisions of Council resolution 1244 (1999). And full account should be taken of the capacity of Kosovo's structures and politicians to cope with the transfer, along with the wider implications. This is an opportunity for all parties in Kosovo to show that they can carry out their commitments within the Framework and that Kosovo is serious about running itself and integrating minority communities into Government. We should not rush towards transferring the reserved powers. We need first to make the Provisional Institutions of Self-Government genuinely multi-ethnic.

The United Kingdom condemns unilateral statements on Kosovo's final status from either side. We will not recognize any move to establish political arrangements for the whole or part of Kosovo, either unilaterally or in any arrangement that does not have the backing of the international community. Accordingly, the United Kingdom fully supports the policy of "standards before status". We agree with Michael Steiner and UNMIK that there is considerable work to be done to fulfil the benchmarks and that democratic governance must take hold in Kosovo before there can be a settlement of Kosovo's status.

We welcome Hashim Thaci's proposal for a moratorium on discussing Kosovo's final status. We hope that others will recognize that progress must be made on the benchmarks before it is possible to determine that final status. We also welcome the favourable response by Serbian Prime Minister Zivkovic to Mr. Thaci's proposal. We hope that Kosovo Albanian politicians will engage positively in due course.

We see a strong case for relaunching expert talks between Belgrade and Pristina to help the process of normalization. Initially, such efforts should concentrate on technical issues discussed between experts and officials on important regional issues such as transport, environment, economy and trade. We also want to encourage people-to-people links at every level as part of the normalization of relations.

We call on local leaders from all communities to pursue statesmanlike policies and to discharge their responsibilities in respect of the proper governance of Kosovo. In particular, the United Kingdom supports Michael Steiner's action, mentioned by Mr. Hédi Annabi, of giving the Assembly a deadline for passing four laws, including on higher education, in a form compatible with resolution 1244 (1999) and with the Constitutional Framework. Kosovo's Institutions should be in no doubt that they must assume their responsibilities consistent with the Council's resolutions and other agreements. There is no alternative way forward.

Mr. President, the first time I attended the Council was on 28 February 2000, when there was an open meeting on Kosovo under the chairmanship of the then president Ambassador Listre of Argentina. Today is the last occasion on which I will attend a formal meeting of the Council. I feel that I have come full circle and that we are once again discussing Kosovo under the presidency of a representative of your region. The last three years have been without doubt the busiest three years in the Council's history. I believe that we have collectively achieved a great deal, almost always acting united and by consensus.

Mr. President, through you, I should like to say to all my colleagues on the Council, in other delegations and in the Secretariat, "Thank you for your cooperation, thank you for your friendship and thank you, sometimes, for laughing at my jokes."

Mr. Aguilar Zinser (Mexico) (*spoke in Spanish*): Before taking the floor in my national capacity as representative of Mexico, I would like to thank Alistair Harrison for his work and his contribution to the Council's duties, not only because of his very good and always well-received sense of humour but also because of his dedication and his work. We will miss him, and we wish him luck in his new duties.

I would now like to make a statement in my capacity as representative of Mexico.

I would like to join other speakers in thanking Mr. Annabi for his briefing and the information that he has given us. My delegation believes that the beginning of the process of the transfer of additional responsibilities to the Kosovo Provisional Institutions of Self-Government is, in general, a positive development. At the same time, we agree with the observation made in the report of the Secretary-General (S/2003/421) that if, as we hope, this process is to be sustainable, it must be conducted in a phased manner and take into account the capacity of the Provisional Institutions. It is crucial that the transfer of responsibilities take place in accordance with resolution 1244 (1999) and within the Constitutional Framework and that this transfer not affect the authority of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the international Kosovo Security Force (KFOR) or the powers and responsibilities reserved to the Special Representative of the Secretary-General under chapter 8 of the Constitutional Framework.

The Provisional Institutions must be built on the basis of the principles of multi-ethnicity and a culture of inter-community tolerance. There is the danger that in the process of transferring responsibilities, the trend towards constructing a mono-ethnic project will be reinforced. A worrisome sign of that was the recent adoption by the Kosovo Assembly of a higher education law that excluded the Serbian minority. Mexico supports the decision of the Special Representative of the Secretary-General, Mr. Michael Steiner, to declare that law invalid. It is important that Kosovo Albanian leaders adopt the project of a multi-ethnic society as their own, as it is the only way for the province to achieve sure and lasting peace. The rule of law is a basic condition for achieving stability, security and economic development of Kosovo. Therefore, my delegation views with satisfaction progress made in that area, such as the hiring of additional judicial

personnel, including members of minority communities. We also welcome the fact that the parallel courts continue to be dismantled.

However, we are concerned by the fact that so far this year there has been an increase in the activities of organized crime and by the fact that ethnically motivated violence has reappeared and is on the rise. It is worrisome that just when the season for the return of refugees and displaced persons to Kosovo is beginning, there was an incident as serious as the bombing of a railway bridge, perpetrated by the so-called Albanian National Army. We condemn that incident, and we support the measures taken by Mr. Michael Steiner. It is important that the Kosovo Albanian leaders and, in particular, the Assembly join Mr. Steiner's condemnation of that incident.

We welcome the fact that in recent months there has been an increase in the constructive participation of the municipal authorities in the sustainable return of displaced persons, although the situation in most of the municipalities in Kosovo is still unsatisfactory. The return of displaced persons on the basis of sustainable conditions, and the participation of the minorities in social, political and economic life, are crucial to ensuring a democratic and multi-ethnic society.

My delegation agrees that it is of fundamental importance for all of the communities of Kosovo to participate in a meaningful way in the Provisional Institutions and the municipal bodies. We also agree that the continued existence of parallel mono-ethnic structures is seriously obstructing the path towards the creation of a multi-ethnic society.

It is clear that the leaders of all the communities — Kosovo Albanians as well as minorities — have a particular responsibility to ensure, on the one hand, greater receptivity on the part of the majority to the participation of minorities in official administrative structures, and, on the other, the effective and early participation of minorities, in particular Serbs, in those structures. It is also clear that cooperation from the Belgrade authorities in this area is necessary.

As for the relationship between Belgrade and Pristina, we hope that the Government in Belgrade and the Provisional Institutions of Kosovo will, as soon as possible, begin a direct dialogue on the practical issues that affect them.

I would like to take this opportunity to ask Mr. Annabi two questions, prompted by my reading of the Secretary-General's report.

The first refers to the section on freedom of movement. I am not clear what impact the reduction of police and military escorts has had on minorities, since one part of the report states that the practice has not led to a worsening of security conditions, while another part states that in some municipalities it has resulted in a considerable decrease in the movement of minorities.

My second question relates to the section on the Kosovo Protection Corps (KPC), in particular the local non-governmental organization, Friends of KPC. I would like to know whether Mr. Annabi believes that the fund-raising carried out by that organization — a task that has been entrusted to it — will contribute to the objective of turning the Corps into a multi-ethnic body with a civil mandate, given that those funds come from local sources and from the diaspora, which, as I understand it, means that they come primarily from the Kosovo Albanian community.

I would be grateful for any answers that Mr. Annabi could provide.

I now resume my functions as President of the Council.

The next speaker inscribed on my list is the representative of Serbia and Montenegro, on whom I now call.

Mr. Šahović (Serbia and Montenegro): I would like to thank you, Mr. President, for having convened this meeting and express our appreciation for the manner in which you are conducting the Council's deliberations at this critical juncture. I would also like to thank the Secretary-General for his comprehensive report, and the Assistant Secretary-General, Mr. Annabi, for his briefing today.

I should like to express my country's gratitude to the President of the Council for the previous month, Mr. Mamady Traoré, as well as to all members of the Council for the expressions of condolence and support to my country in the wake of the assassination of Mr. Zoran Djindjic, Prime Minister of Serbia, on 12 March. Indeed, we are grateful for the understanding and assistance offered by the international community as a whole in the aftermath of that tragic event.

Since then, we have lived through a difficult period, including a state of emergency, which, I am glad to be able to inform the Council, was lifted yesterday. In the circumstances generated by that tragic event, we have also faced serious new challenges in Kosovo and Metohija. Mr. Nebojsa Covic, Deputy Prime Minister of Serbia and head of the Coordination Centre for Kosovo and Metohija, has addressed those challenges in detail in a letter to Security Council members, which they will be receiving shortly.

Several grave incidents in recent weeks have illustrated the real lack of security in Kosovo and Metohija and, consequently, the fragility of the overall situation. Two people were killed and three people — two of them children — were wounded on 14 April in an assault near Pec. A few days earlier, in the fifth attack to take place during a single month, the last Serbian school in Kosovo Polje was demolished. Finally, on 12 April, in an act of violence that the Special Representative of the Secretary-General himself defined as terrorism, a railway bridge was blown up in Zvecan municipality. The illegal Albanian National Army (ANA) claimed responsibility for that attack, stating its decision to sever all connections between Belgrade and "Albanian territories". That organization has in previous years claimed responsibility for several terrorist attacks in southern Serbia and the Republic of Macedonia. We appreciate the fact that, after some initial confusion, Special Representative Steiner proclaimed ANA a terrorist organization and declared that United Nations Interim Administration Mission in Kosovo (UNMIK) police and KFOR would increase their presence in this area.

My Government appreciates Mr. Steiner's decision to declare null and void the illegal enactment by the Kosovo Assembly of the law on higher education. It appreciates also the Security Council's support for the Special Representative's decision. We have no doubt that the members of the Council share the concern of Serbia and Montenegro with regard to the increasing violations of minority rights and the existing legal framework in Kosovo and Metohija by the Provisional Institutions.

The Security Council, the Secretary-General and his Special Representative have repeatedly noted that the Provisional Institutions are not sufficiently devoted to solving the bread-and-butter issues of all the citizens in the province. The Institutions' persistent demands for increased responsibilities, while they infringe on the competencies reserved for UNMIK, have also been pointed out as a cause for concern. This kind of regular departure from the foundations of resolution 1244 (1999) has given rise to a careful analysis of the accelerated process of transferring further responsibilities to the Provisional Institutions of Self-Government.

We note the Secretary-General's explanation that the responsibilities being transferred are those outlined in chapter 5 of the Constitutional Framework, while the Special Representative of the Secretary-General will retain responsibilities reserved for him under chapter 8, and that the process will be conducted in a phased manner, taking into account the capacity of those Institutions to assume additional responsibilities. According to the principles of resolution 1244 (1999), conferring elements of statehood on the Provisional Institutions is wholly unacceptable. It is therefore highly regrettable that several influential Kosovo Albanian leaders have, in the face of the clear position of the Council and the Secretary-General, recently demanded publicly the transfer of authorities reserved for the Special Representative of the Secretary-General.

My Government also considers that the willingness and capacity of the Provisional Institutions to implement the Special Representative's benchmarks must constitute an important criterion for the further transfer of responsibilities. Disregarding this necessary condition in the name of a speedy handover of authority will only further endanger stability and security in the region.

In this context, it is also necessary to note the continuing problems presented by the functioning of the Kosovo Protection Corps (KPC). The report we have before us concludes that the task of transforming the KPC into a multi-ethnic body focused solely on its mandate has lagged and that the Corps' aspiration to serve as an army clearly contravenes the principles of resolution 1244 (1999). Monthly KFOR reports routinely list cases of non-compliance by the KPC, including criminal activity. The February report cites a case involving the Commander of Protection Zone 1.

The serious problems accompanying the establishment of substantial autonomy in Kosovo and Metohija, in line with resolution 1244 (1999), will be best resolved by cooperation among all interested parties. To that end, the Government of Serbia on 17

April supported calls by the Coordinating Centre for Kosovo and Metohija for dialogue with representatives of the international administration and the Provisional Institutions of Self-Government on all issues related to the development of a democratic, multi-ethnic, multi-confessional and multicultural society in the province.

The Government of Serbia also supported the decision of Return Coalition deputies to continue their participation in the work of the Provisional Institutions and thus represent the interests of the Serbian community in Kosovo and Metohija.

In line with my country's commitment to resolve, in the spirit of cooperation, the issues of importance to the stability of the region and to the everyday life of its citizens, Foreign Minister Svilanovic recently addressed a letter to Special Representative Steiner expressing a readiness to establish, as soon as possible, in cooperation with the Republic of Macedonia and UNMIK, the modalities for opening border crossings between Serbia and Montenegro and Macedonia, in the area of Kosovo and Metohija. The purpose of opening the border crossings in the vicinity of Rastelica-Strezimir and Debelde-Tanusgevci is to facilitate communication among the population in the border zone, particularly their access to property they own in the territories of neighbouring countries.

There is no doubt that discussions on practical issues related to the daily concerns of all citizens are of vital importance to the stabilization of Kosovo and Metohija. In that context, it should be noted, however, that the return of displaced persons, freedom of movement and decentralization are critical problems for the minority communities. So far, there has been no real progress on these issues, but unless they are resolved, the establishment of the democratic order envisaged under Security Council resolution 1244 (1999) will not be possible.

Although the process of cooperation envisaged under the Common Document on cooperation between the Federal Republic of Yugoslavia and UNMIK has been stalled — not for any lack of readiness on the part of Serbia and Montenegro — we continue to believe that the mechanism of consultations within the High-Ranking Working Group is the best way to move forward. We therefore call on UNMIK once again to revive this mechanism and make it operational and thus relevant, as it was meant to be.

In conclusion, bearing all the aforementioned in mind, we would welcome Mr. Annabi's responses to the following three questions.

First, how does UNMIK intend to implement the process of transferring further responsibilities to the Provisional Institutions, in the light of the Secretary-General's statistics showing that, of 36 policy decisions taken by the Kosovo Provisional Government during the first three months of this year, only 10 were prepared according to the rules of procedure in force?

Secondly, what concrete steps is UNMIK planning to take in the light of the Secretary-General's assessment that ethnic violence and crime seem to be on the increase and that the persistence of ethnically motivated security incidents remains a barrier to the free movement of minority community members?

Finally, since the Special Representative is responsible for exercising control and authority over the Kosovo Protection Corps, what measures are envisaged to bring this organization in line with its mandate?

The President (*spoke in Spanish*): I thank the representative of Serbia and Montenegro for the message that he has conveyed to us.

The next speaker is the representative of Greece. I invite him to take a seat at the Council table and to make his statement.

Mr. Vassilakis (Greece): I have the honour to speak on behalf of the European Union. The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, as well as the associated countries Bulgaria, Romania and Turkey and the European Free Trade Association (EFTA) countries members of the European Economic Area Iceland and Liechtenstein, declare that they align themselves with this statement.

We would like to thank Assistant Secretary-General Annabi for his briefing, which, together with the comprehensive report of the Secretary-General, provides us with an update on the situation as it has recently been shaping up in Kosovo.

The international community has made progress towards stabilizing Kosovo and enabling its inhabitants to chart a course for their future. The European Union would like to reiterate its main policies, that is, the consolidation of peace and the promotion of stability,

democracy and the rule of law, as well as respect for human rights and minority rights. The full implementation of Security Council resolution 1244 (1999), the peaceful resolution of conflicts and regional cooperation are principles of the highest importance for the area. Terrorism and violence — be it ethnically, politically or criminally motivated — will not be tolerated and should be unequivocally condemned. We fully support Special Representative of the Secretary-General Steiner's Administrative Order proscribing the Albanian National Army (ANA) as a terrorist organization.

Full democratization requires the support of the international community and of all the political forces in Kosovo, along with Belgrade's full cooperation. Our principles should be unambiguous in order to build a multi-ethnic and multicultural society in Kosovo, with full respect for Security Council resolution 1244 (1999) and the Constitutional Framework. The "standards before status" policy provides the framework for achieving these objectives. The European Union fully supports the work of the Special Representative and of the United Nations Interim Administration Mission in Kosovo (UNMIK) in carrying out the mandate entrusting to them by the Security Council.

The Serbian and Albanian people, despite the conflicts of the past, must learn to live together, achieve reconciliation and make an effort to create and sustain conditions for the implementation of the principles of true democracy, diversity and tolerance. The European Union attributes particular importance to a dialogue between Belgrade and Pristina on practical issues of mutual interest further to, and on the basis of, the Common Document.

Political stability in Kosovo requires the formation of stable institutions. The establishment and strengthening of local democracy is a precondition in this regard. The process of transfer of competencies to the Provisional Institutions of Self-Government, as set out in chapter 5 of the Constitutional Framework, in full compliance with the provisions of Security Council resolution 1244 (1999) and taking into account the capacity of these institutions to assume additional responsibilities, will promote general and local democratization as well as raise awareness of individual and communal responsibilities.

Building effective, transparent and accountable institutions for the benefit of all the communities, while at the same time adhering to the obligations stemming from Security Council resolution 1244 (1999) and the Constitutional Framework and not prejudging the final status, should be the goal of our actions.

Achieving genuine and sustainable reintegration of minority returnees should be assessed as an indicator of political and democratic maturity. It is encouraging that national and international perceptions regarding displacement issues, apart from a purely humanitarian approach, also include a broader development and social and economic perspective. Therefore, efforts should focus on the sustainability of return and on ensuring the inclusion of the displaced and returnees in the process of political action, social reintegration and economic recovery.

Political will, at the central and municipal level, is a prerequisite for further progress. Essential also to the success of the return process is the active support of the donor States and the participation of the international organizations. This political as well as financial support should maintain the momentum for return and ensure its sustainability.

No initiative will be effective and no effort will bear results if the region does not rid itself of the dual scourge of extremism and organized crime — two phenomena closely interconnected and feeding each other, while at the same time undermining all serious attempts by the local institutions and the international community to lay the foundations of and build stable, prosperous and peaceful societies with freedom and justice for all.

The European Union firmly believes that no effort should be spared and no stone left unturned until this double-edged menace is addressed and eradicated. Only then will our aims be achieved and the region become a better place for all its people.

The President (*spoke in Spanish*): The next speaker inscribed on my list is the representative of Albania. I invite him to take a seat at the Council table and to make his statement.

Mr. Dilja (Albania): Allow me at the very beginning to thank you, Sir, for your excellent management of the Security Council's agenda for this month and for convening this meeting. Let me also

congratulate the Secretary-General on his latest report and Assistant Secretary-General Annabi on his briefing here today.

I would like to express our delegation's appreciation for the significant achievements of the United Nations Interim Administration Mission in Kosovo (UNMIK) and for the exemplary professional work of the Special Representative, Mr. Steiner. It is our deep conviction that, through cooperation, the Provisional Institutions and all the people of Kosovo are making a success story there, which is really crucial for its future, for the whole region and for the United Nations as well.

With the adoption of resolution 1244 (1999), everything started from scratch in Kosovo. Today, we have to recognize that it has come a long way since then. Vision is crystal clear there now, the trend is positive and achievements are significant — not that fast, perhaps, but steady. Let us not forget that Rome was not built in a day. But we must also recognize the imperative need to move further ahead on the important agenda of standards, on jobs and security, on economic recovery, on the fight against crime and corruption, on creating multi-ethnic society, on advancing the transfer of power, on establishing direct dialogue between Pristina and Belgrade, on Kosovo's integration, and so on. The Government of Albania has strongly supported these priorities set out by Mr. Steiner, making its contribution, when needed, to enhance their accomplishment. Let me also mention here that my Government has strongly condemned the latest act of violence in Kosovo.

In its intervention today, my delegation would like to confine itself to a few points that we believe are of crucial importance.

The first regards the multi-ethnic society in Kosovo. We share the Security Council's vision and view of an integrated multi-ethnic society in Kosovo as of crucial importance for its future. We draw attention to the fact that ethnically-defined interest politics, parallel institutions, violent actions or extremist threats from any group will only harm the fragile accomplishments there and be a roadblock to reconciliation. We reiterate our evaluation that progress on that important priority should be accelerated, strengthened and broadened in its accomplishments. We urge all parties there to continue to work actively on inter-ethnic dialogue, returns, reconciliation and the consolidation of a climate of peaceful coexistence among ethnic groups. We strongly urge minority communities to display their willingness to participate and the majority community to demonstrate respect so that all together may foster a sustainable multi-ethnic environment in Kosovo.

We also note with satisfaction, however, that the achievements and deeper commitment in this area are encouraging. The latest report of the Secretary-General clearly reflects that. Progress in recruiting minority representatives in civil service; progress on inter-ethnic dialogue; the programme initiated by the Office of the Prime Minister for the active recruitment of the minority community and his public commitment to returns; the increased pace of these returns; improved structures; and the enhanced engagement of local authorities in this process, as clearly articulated in that report, are to be counted as real positive steps. They add to our optimism about the step-by-step creation in Kosovo of a functioning multi-ethnic society in which every Kosovo citizen, regardless of ethnic origin, can be empowered to run his or her own affairs.

Secondly, the transfer of power is a process of paramount importance in Kosovo. We commend UNMIK and the Provisional Institutions for launching this transfer, which in our opinion is a give-and-take process with mutual responsibilities. The Provisional Kosovar Institutions should grow stronger with every passing day. Of course, they should be given authority and responsibility, but simultaneously they should become authoritative and responsible and should exercise that authority and responsibility by producing concrete results. They should hold to the principle that with power comes responsibility. UNMIK should continue to hand over responsibilities, to identify further areas that can be transferred, and to assess and help with effective empowerment. Mutual confidence and cooperation between UNMIK and Kosovar institutions in this sphere is very significant and has immense potential impact.

UNMIK is there to govern and to transfer governance without reluctance. The Government of Kosovo does need the continued support of UNMIK. We must say that, in this process, it will help more than hurt if the methodological principle of learning by doing is taken into consideration by UNMIK. However, we express our appreciation that the Kosovar institutions are making progress towards the benchmarks and are demonstrating that, with every

passing day, they are more and more capable and equipped to handle added responsibilities, to be accountable to all the people of Kosovo and to register accomplishments.

Thirdly, with respect to the process of integration, Kosovo must prepare to join the process together with its neighbours and the whole region. We highly appreciate and praise UNMIK and Mr. Steiner for setting this priority in their agenda. At the same time, we appeal for further progress in this process. Expanding regional cooperation and listing Kosovo in the various regional and European initiatives, programmes of assistance, strategies and plans in the region will help a lot. Kosovo should be part and parcel of the integration process and progress which the region and the continent are undergoing. We have appraised the establishment of a new monitoring mechanism between the European Commission and Kosovar authorities. We believe that further steps should be undertaken in that direction in order to offer the people of Kosovo a better European perspective through their institutional participation in the process of stabilization and association. We believe that this will help them to understand that lack of status does not mean isolation and will raise the confidence of all the people there in a better future. At the same time, however, we think that it will invigorate and generate understanding and efforts to recognize these responsibilities and to meet the requirements.

In conclusion, allow me to reiterate my Government's confidence that those processes all aim at meeting the standards and pave the way for the final status of Kosovo, which, in harmony with the international community's responsibility and authority, should definitely reflect and respect the right and will of all the people there to determine their future.

The President (*spoke in Spanish*): I now give the floor to Mr. Hédi Annabi to respond to the comments made and the questions raised.

Mr. Annabi: I believe that the first question was asked by the Ambassador of Bulgaria, who inquired about whether or not the United Nations Interim Administration Mission in Kosovo (UNMIK) has a mechanism to monitor the way in which the Provisional Institutions of Self-Government are discharging the responsibilities that have already been transferred to them. Such a mechanism does in fact exist, as there are UNMIK staff working within the Provisional Institutions of Self-Government. Of course, as responsibilities are transferred some of those staff become redundant, and there is an ongoing reduction in their numbers. But we do maintain sufficient staff to perform the residual functions that have not been transferred, as well as to perform oversight and monitoring functions on a continuing basis in order to assess the way that transferred powers are being discharged and to enable UNMIK to intervene where necessary.

I believe the President asked the second and third questions. They related, first, to the freedom of movement and the impact that the reduction in military and police escorts has had. UNMIK and KFOR believe that the reduction in police and military escorts has not led to a deterioration in security conditions. At the same time, we are aware that there is a perception on the part of some minority community members of an increased possibility of security incidents. That perception has prompted them, in some instances, to restrict their movements. I think that can explain the apparent discrepancy to which the President was pointing.

The President's second question related to the Kosovo Protection Corps (KPC) and the fundraising undertaking by a local non-governmental organization known as the Friends of the KPC. We agree that the majority of those funds probably come from Kosovo Albanians. I do not think that is an issue, but, regardless of where the funds come from, UNMIK and KFOR have the responsibility to ensure that the KPC continues to act and develop properly and in accordance with the mandate that has been given to it. They consider that whatever fundraising activities take place, those activities should not hamper their efforts. They are determined not to allow that to happen and to ensure that the KPC continues to work and develop in accordance with its mandate.

I think the Permanent Representative of Serbia and Montenegro asked the next set of questions. The first question related to the transfer of responsibilities to the Provisional Institutions of Self-Government. I think that in my presentation I described in some detail how those powers would be transferred and what their limits would be. I also stressed that the pace of transfer under the powers referred to under chapter 5 of the Constitutional Framework will be a function of the capacity of the local authorities to effectively discharge the responsibilities transferred to them. Wherever there

are instances where the Provisional Institutions go beyond the letter or spirit of resolution 1244 (1999) and the Constitutional Framework, UNMIK will certainly intervene, as it has done in the past, and pronounce itself on whether those initiatives are consistent with the resolution and the Constitutional Framework. It will also declare them *ultra vires* as necessary, as it has in the past. Such actions would be reported to the Security Council, which would then determine how best to respond.

I think the next question pertained to the concrete steps that UNMIK is taking, or should take, to stop incidents of increased violence. Paragraph 21 of the report of the Secretary-General (S/2003/421) covers in some detail the additional measures taken by UNMIK and KFOR to stem incidents of violence. The situation is not perfect, and I think the report is quite candid about that. But we believe that the additional measures detailed in paragraph 21 can help to control and improve the situation.

Finally, I think the third question from the Ambassador of Serbia and Montenegro related to the KPC and to the measures that UNMIK intends to take to ensure that the KPC acts in line with its mandate. I can assure him, as I said just a while ago, that UNMIK and KFOR will continue to work together closely, and to watch closely the activities of the KPC, with a view to promoting and ensuring compliance with its mandated activities. In fact, a Civil Protection Development Group has been formed, as indicated in paragraph 48 of the Secretary-General's report, with a view to improving coordination and developing tasks for the KPC that are in strict compliance with its mandate. At the same time, we have been quite candid in the report about some of the difficulties that UNMIK and KFOR are encountering with the KPC. Whenever there are cases of non-compliance they are taken seriously. UNMIK and KFOR will continue to take the necessary disciplinary measures whenever the need arises.

The President (*spoke in Spanish*): I thank Mr. Annabi for the responses and clarifications that he has provided. We thank him once again for joining with us at this meeting.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.10 p.m.